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8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA

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11 WILLIAM BECKMAN AND LINDA GANDARA,  
12 individuals, on behalf of themselves, and all  
13 persons similarly situated,

14 Plaintiff,

15 v.

16 ARIZONA CANNING COMPANY, LLC,  
17 STATER BROS. MARKETS, AND DOES 1-10

18 Defendants.

Case No.: 16cv2792-JAH(BLM)

**ORDER GRANTING IN PART  
DEFENDANT'S MOTION TO CONTINUE  
EARLY NEUTRAL EVALUATION  
CONFERENCE AND CASE  
MANAGEMENT CONFERENCE**

**[ECF No. 39]**

19 On February 16, 2018, Plaintiff filed a Second Amended Complaint ("SAC"). ECF No. 29.  
20 Defendant answered the SAC on September 24, 2019. ECF No. 37. That same day, the Court  
21 issued a Notice and Order for Early Neutral Evaluation Conference ("ENE") and Case  
22 Management Conference ("CMC"). ECF No. 38. The Court scheduled the conferences for  
23 November 8, 2019. Id. at 1.

24 On October 7, 2019, Defendant filed an Application to Continue Date of Early Neutral  
25 Evaluation Conference and Case Management Conference. ECF No. 39. Defendant seeks to  
26 continue the ENE and CMC to November 12, 2019. Id. at 2. In support, Defendant states that  
27 it representative, Mr. Mike Weber, will be traveling from Minneapolis where he resides for the  
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1 conferences and has a personal commitment on November 9, 2019. Id. Because of the distance  
2 and different time zones, Mr. Weber will be unable to attend the conferences and return to  
3 Minneapolis in time for his prior commitment. Id. Defendant notes that this is a brief  
4 continuance and that "Plaintiffs' counsel advised that they do not object to this proposed date  
5 of November 12<sup>th</sup> for the ENE and CMC." Id.

6 Good cause appearing, Defendant's motion is **GRANTED IN PART**. The ENE and CMC  
7 currently scheduled for November 8, 2019 is hereby **CONTINUED** to **November 13, 2019** at  
8 **9:30 a.m.**<sup>1</sup> On or before **November 1, 2019**, the parties shall submit via fax, email  
9 (efile\_major@casd.uscourts.gov) or hand delivery, confidential statements no more than ten  
10 (10) pages<sup>2</sup> in length directly to the chambers of the Honorable Barbara L. Major.

11 In the event the case does not settle during the ENE, the Court will conduct an Initial  
12 CMC. In preparation for this conference, the parties must

- 13 a. Meet and confer pursuant to Fed. R. Civ. P. 26(f) no later than **October**  
14 **23, 2019**;
- 15 b. File a Joint Discovery Plan on the CM/ECF system no later than **November**  
16 **1, 2019**; and
- 17 c. Exchange initial disclosures pursuant to Rule 26(a)(1)(A-D) no later than  
18 **November 6, 2019**.

19 **IT IS SO ORDERED.**

20 Dated: 10/7/2019

21   
22 Hon. Barbara L. Major  
23 United States Magistrate Judge

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27 <sup>1</sup> There is no availability on the Court's calendar on November 12, 2019.

28 <sup>2</sup> The parties shall not append attachments or exhibits to the ENE statement.